



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 3

COPY MAILED

AUG 14 2002

OFFICE OF PETITIONS

In re Application of :
Florio et al. : DECISION DISMISSING
Application No. 10/092,695 : PETITION AS MOOT
Filed: March 6, 2002 :
Attorney Docket No. A02P1020US01 :

This is a decision on the petition under 37 CFR 1.10 filed on July 3, 2002, requesting that the above-identified application be accorded a filing date of March 6, 2002.

Petitioner alleges that the application was deposited in Express Mail service on March 6, 2002. In support, on July 3, 2002, petitioner supplied a copy of Express Mail receipt No. EL758671539US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file). In addition to the Express Mail receipt, petitioner has provided a copy of the United States Postal Service shipment history which indicates the Express Mail package bearing No. EL758671539US was en route on March 6, 2002.

A review of the Office PALM records reveals that this application was previously accorded a filing date of March 6, 2002.

Therefore, the present petition is unnecessary and will be dismissed as moot.

The application is being returned to the Office of Initial Patent Examination for further processing with the presently accorded filing date of March 6, 2002, and for issuance of a corrected Filing Receipt.

Telephone inquiries specific to this matter should be directed to Charlema R. Grant at (703) 306-0251.

Christina Cartera Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy